

### **REMARKS**

Applicant respectfully requests reconsideration of this application in view of the foregoing amendment and following remarks.

#### **Objection**

Drawings have been objected to because they include reference characters not mentioned in the description. The Office Action indicates that the descriptions for "D" of Fig. 2, "B132" and "B323" of Fig. 4, and "B323" of Fig. 5 are not mentioned in the specification.

In response, the specification has been amended as shown above adding the descriptions for "D" and "B323" to relevant portions of the specification. Also, Fig. 4 has been amended to delete "B132" as shown in a copy attached herein.

Applicant respectfully requests that this objection be withdrawn.

#### **Status of the Claims**

Claims 1-10 are pending in this application. Claims 1, 6, 9 and 10 are independent. All of the pending claims stand rejected. By this amendment, claim 7 is cancelled without prejudice or disclaimer. Independent claims 1 and 6 are amended. Dependent claims 2 and 3 are also amended. No new matter has been added by this amendment.

#### **Rejection under 35 U.S.C. §**

In paragraph three (3) of the Office Action, claims 1-8 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 6,375,314 to Reed et al. ("Reed") in view of U.S. Patent Application Publication No. 2003/0165727 to Priestnall et al. ("Priestnall") and U.S. Patent Application Publication No. 2004/0248003 to Tsutsumi et al. ("Tsutsumi").

In paragraph ten (10) of the Office Action, claims 9 and 10 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Reed in view of Priestnall.

Claim 7 has been rejected rendering the rejections directed to these claims moot.

Independent claims 1 and 6 have been amended for further clarification. In particular, amended claim 1 is directed to an ink jet recording apparatus which includes, *inter alia*, “a hybrid cell comprised of a fuel cell and a secondary cell.” The ink jet recording apparatus of claim 1 also recites “wherein said supplies container includes therein a storing portion for storing fuel for said fuel cell, and in a case where said supplies container is mounted to said ink jet recording apparatus, the fuel stored in said storing portion is supplied to said fuel cell and said fuel cell supplies electric power for driving said ink jet recording apparatus, and when said ink jet recording apparatus is not driven, said power supply system stores an electric power generated by said fuel cell into said secondary cell.”

Amended claim 6 is directed to a recording apparatus comprising, *inter alia*, a fuel cell for generating an electric power for operating the recording apparatus and a secondary cell for supplying the electric power to operate the recording apparatus. The secondary cell of amended claim 6 is further configured to store an electric power generated by the fuel cell as well as supplied from an AC power source.

One of the aspects of the present invention as discussed above is directed to dealing with a large instantaneous electric current required when the recording apparatus starts the recording. For example, when the recording apparatus does not perform the recording, the electric power generated by the fuel cell is stored into the secondary cell while the fuel is being consumed. This stored electric power is utilized when the recording apparatus starts the recording and requires a

large instantaneous electric current. See, for example, page 14, line 22 through page 18, line 9 of the original specification.

Reed discloses a removable cassette connected to a photoprinter which includes an ink reservoir 32 as shown in Fig. 3. The Examiner appears to equate the power source 34 of Reed's cassette to the fuel for a fuel cell of the present invention. However, the Reed's power source (e.g., fresh battery) is not a "fuel for a fuel cell" as specifically recited in claims 1 and 6 as amended. Reed further fails to show or suggest a hybrid power supply system including a fuel cell and a secondary cell specifically recited in claims 1 and 6 as amended.

Priestnall is cited as disclosing a hybrid cell comprised of a fuel cell and a secondary cell, and the Examiner cites paragraphs [0020], [0021] and [0026] for the basis of the rejections. However, the cited portions of the specification merely describes that "the invention is a fuel cell or battery ... comprising ... at least one anode and at least one cathode within the cell, ... said electrodes are porous..." In other words, there is nothing in Priestnall that teaches the hybrid cell of the present invention that includes a fuel cell and a secondary cell.

Tsutsumi teaches a hybrid cell structure in which at least two types of active materials having different charge and discharge characteristics are combined and incorporated into a same cell to provide a battery. See, for example the abstract of Tsutsumi. In other words, Tsutsumi also fails to show or suggest a hybrid cell of the present invention which requires two independent cells such as a fuel cell and a secondary cell. Accordingly, Tsutsumi further fails to teach the storing of an electric power generated by the fuel cell into the secondary cell when the ink jet recording apparatus is not driven as specifically recited in claims 1, 6 and 9 as amended.

Accordingly, each of claims 1 and 6 as amended is believed neither anticipated by nor rendered obvious in view of the cited art of record (i.e., Reed, Priestnall and Tsutsumi), either taken alone or in combination, for at least the reasons discussed above.

Each of independent claims 9 and 10 recites a cartridge detachable to a recording means wherein the cartridge comprises a storing portion for storing the fuel to be supplied to the fuel cell.

As discussed above, none of the cited art of record shows or suggests the invention as featured in claims 9 and 10, i.e., the fuel cell is provided in the printer and a storing portion for storing fuel to be supplied to the fuel cell is provided in a detachable supplies container.

Reconsideration and withdrawal of the rejections of claims 1, 6, 9 and 10 under 35 U.S.C. §103(a) is respectfully requested.

Applicant has not individually addressed the rejections of all of the dependent claims because Applicant submits that the independent claims from which they respectively depend are in condition for allowance as set forth above. Applicant however reserves the right to address such rejections of the dependent claims should such be necessary.

Applicant believes that the application as amended is in condition for allowance and such action is respectfully requested.

**AUTHORIZATION**

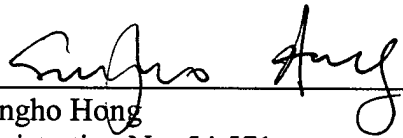
No petitions or additional fees are believed due for this amendment and/or any accompanying submissions. However, to the extent that any additional fees and/or petition is required, including a petition for extension of time, Applicant hereby petitions the Commissioner to grant such petition, and hereby authorizes the Commissioner to charge any additional fees, including any fees which may be required for such petition, or credit any overpayment to Deposit Account No. 13-4500 (Order No. 1232-5211). A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.

An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,  
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Dated: January 11, 2006

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**Amendments to the Drawings:**

The attached sheet of drawings includes changes to Fig. 4 and replaces the original sheet of Fig. 4. In Figure 4, the element "B132" has been deleted.

Attachment: Replacement Sheet